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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Mr. Bossuyt, Mr. Boutkevitch, Ms. Chavez, Ms. Koufa, Mr. Eide, Ms. Gwanmesia, Mr. Joinet, Mr. Maxim, Ms. Palley and Mr. Ramadhane: draft resolution

Situation of human rights in Togo

The Sub-Commission on the Struggle against Discriminatory Measures and the Protection of Minorities,

Guided by the principles embodied in the Charter of the United Nations, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Reaffirming that all Member States have the right and duty to promote and protect human rights and to discharge the obligations set out in the various applicable instruments,

Pointing out that Togo is a party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and of the African Charter of Human and Peoples' Rights,

Recalling Commission on Human Rights resolution 1994/78 of 9 March 1994,

Having considered with interest the comments of the Human Rights Committee at its fifty-first session (CCPR/C/79/Add.36),

Very concerned by the serious obstacles to the democratization process and seeking to encourage its development with full respect for human rights and fundamental freedoms,

Deeply concerned in this connection by the persistent gravity of the situation of human rights in Togo, particularly by the summary or extrajudicial executions, arbitrary arrests or detentions and by torture and other cruel, inhuman or degrading treatment, for which the armed and security forces are largely responsible,

Recalling the impunity enjoyed by those who commit human rights violations, particularly because of serious failings in the legal system, especially the lack of independence and impartiality of the judiciary,

Concerned by the serious attacks on freedom of the press,

Pointing out that the situation described above is a serious setback to the rule of law in Togo,

1. Strongly condemns the massive and persistent violations of human rights in Togo;

2. Requests the Togolese authorities to adopt all measures necessary to end the impunity enjoyed by those responsible for breaches of human rights;

3. Calls upon the Commission on Human Rights to appoint, at its fifty-first session, a special rapporteur with the mandate of reporting on the human rights situation in Togo.

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